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8

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 CHRISTIAN REILLY, ) CASE NO. 2:17-cv-02288-APG-CWH  
12 Plaintiff, )  
13 vs. )  
14 7-ELEVEN, INC., a foreign corporation; )  
15 DOES I through X; and ROE ENTITIES I )  
through X, )  
16 Defendants. )  
17

**STIPULATION AND ORDER TO**  
**AMEND COMPLAINT AND CAPTION**  
**AND TO FILE FIRST AMENDED**  
**COMPLAINT**

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19 **STIPULATION AND ORDER TO AMEND COMPLAINT AND CAPTION AND**  
20 **TO FILE FIRST AMENDED COMPLAINT**

21  
22 COME NOW, Plaintiff CHRISTIAN REILLY, by and through his attorney, DAVID A.  
23 TANNER, Esq. of the TANNER LAW FIRM; and Defendant, 7-ELEVEN, INC. by and  
24 through its attorney, JACK P. BURDEN, Esq. of BACKUS, CARRANZA & BURDEN, and  
25 hereby stipulate and agree as follows.

1 WHEREAS, Plaintiff intended to sue the owners, operators, and manager of the 7-  
2 Eleven store where he was located at the time of her fall;

3 WHEREAS, AMARJEET S. MAROKE, a Nevada resident, was the franchisee that  
4 owned, operated, and maintained the subject 7-Eleven store where Plaintiff fell;

5 WHEREAS, Defendant, 7-ELEVEN, INC., a foreign entity, did not have any  
6 involvement in the day-to-day operation of the subject 7-Eleven store (this based upon Defense  
7 counsel's representation);

8 IT IS HEREBY STIPULATED that 7-ELEVEN, INC. be dismissed from this case,  
9 without prejudice;

10 IT IS FURTHER STIPULATED that AMARJEET S. MAROKE will be included in this  
11 case as a Defendant;

12 IT IS FURTHER, STIPULATED that the Complaint and Caption be amended to reflect  
13 the dismissal of 7-ELEVEN, INC. and inclusion of AMARJEET S. MAROKE (a copy of the  
14 First Amended Complaint is attached hereto as Exhibit 1);

15 IT IS FURTHER STIPULATED that should discovery reveal that 7-ELEVEN, INC. had  
16 any involvement in this matter, will be called to testify at trial, or that it was wholly or partially  
17 responsible for Plaintiff's fall, the Plaintiff can bring 7-ELEVEN, INC. back into this case. If  
18 that happens, 7-ELEVEN, INC. inclusion in this case will relate back to the date of the Original  
19 Complaint for all purposes, including the statute of limitations;

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1 IT IS FURTHER STIPULATED that the First Amended Complaint will relate back to  
2 the date of the original Complaint for all purposes, including the statute of limitations; and  
3  
4

5 By: /s/ David A. Tanner  
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By: /s/ Jack P. Burden  
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11  
12 *Attorney for Plaintiff*

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14 *Attorney for Defendant*

15  
16 **ORDER**

17 IT IS SO ORDERED.

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21   
UNITED STATES DISTRICT JUDGE  
22 Dated: September 14, 2017.